

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
ENGLISH LANGUAGE DECLARATION

As below named Inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD FOR TREATING HERPES SIMPLEX 1 AND 2, the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. Sec.1.56(a).

We hereby claim foreign priority benefits under Title 35. United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: Prior Foreign Applications NONE

We hereby claim the benefit under Title 35. United States Code. Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 192, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56a which occurred between the filing date of the prior application and the national or PCT international filing date of this application. NONE

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As the named inventors, we hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Thomas J. Wall, Reg. No. 24,280
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Bernhard P. Mollidrem, Jr., Reg. No. 28,873
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4015
Full name of First inventor: PETER P. LATHROP

Peter Howard Lathrop Date: 4/2/90

Residence: 2520 Clairemont Drive, No. 110, San Diego, CA 92117

Citizenship: UNITED STATES

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4020
Full name of Second inventor: STEVE R. JOHNTSON

Steve Kent Johnston Date: 4/4/90

Residence: 2004 West First, Grand Island, NE 68803

Citizenship: UNITED STATES

Post Office Address: Same

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: PETER H. LATHROP and STEVE K. JOHNSTON

Title: METHOD FOR TREATING HERPES SIMPLEX 1 and 2
GROUND CONTACTING ROLLERS

Docket No.: 438 P 3195

DECLARATION CLAIMING SMALL ENTITY STATUS
UNDER 37 CFR 1.9 (f) and 1.27 (b) - INDEPENDENT INVENTORS

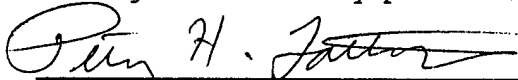
As below named inventors, we hereby declare that we qualify as independent inventors as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: METHOD FOR TREATING HERPES SIMPLEX 1 AND 2 described in the specification filed herewith.

We have not assigned, granted, conveyed or licensed, and are under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

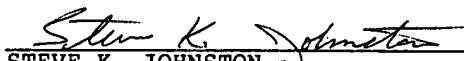
Each person, concern, or organization to which we have assigned, granted, conveyed, or licensed; or are under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is as follows: No such person, concern, or organization

We acknowledge the duty to file in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

We declare further that all statements made hereon of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon or any patent to which this declaration is directed.


PETER H. LATHROP

4/2/90
Date


STEVE K. JOHNSTON

4/4/90
Date